



RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: MAY 19, 2003

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: COUNCILMEN WEEKLY and MACK

Also Present: DEPUTY CITY MANAGER STEVE HOUCHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED, CITY CLERK BARBARA JO (RONI) RONEMUS, and DEPUTY CITY CLERK GABRIELA S. PORTILLO-BRENNER

ANNOUNCEMENT MADE – meeting noticed and posted at the following locations:

Las Vegas Library, 833 Las Vegas Boulevard North

Senior Citizens Center, 450 E. Bonanza Road

Clark County Government Center, 500 S. Grand Central Pkwy

Court Clerk's Bulletin Board, City Hall

City Hall Plaza, Posting Board

(4:05)

1-1

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2003-44 – Authorizing the issuance of City of Las Vegas General Obligation (Limited Tax) Redevelopment Project Refunding Bonds, (Additionally Secured with Pledged Revenues) Series 2003A

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

NRS 350.684 provides that the City may issue refunding bonds to refund, pay and discharge all or any part of the outstanding bonds of any one or more issues for the purpose of reducing interest costs or effecting other economies. Projections indicate that this refunding issue will net 4.2% savings in borrowing costs.

RECOMMENDATION:

Staff recommends approval.

BACKUP DOCUMENTATION:

Bill No. 2003-44

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2003-44 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

MARK VINCENT, Director of Finance and Business Services, indicated that this matter involves refunding in order to take advantage of the lower interest rates, which will save the City about \$160,000 in interest over the remaining couple of years. Staff recommends approval.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:05 – 4:06)

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2003-45 – Authorizing the issuance of the City of Las Vegas General Obligation Medium-Term Detention Center Refunding Bonds Series 2003B

Fiscal Impact

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

NRS 350.684 provides that the City may issue refunding bonds to refund, pay and discharge all or any part of the outstanding bonds of any one or more issues for the purpose of reducing interest costs or effecting other economies. Projections indicate that this refunding issue will net 4.7% savings in borrowing costs.

RECOMMENDATION:

Staff recommends approval.

BACKUP DOCUMENTATION:

Bill No. 2003-45

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2003-45 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

MARK VINCENT, Director of Finance and Business Services, indicated that this matter involves refunding in order to take advantage of the lower interest rates, which will save the City about \$150,000 in interest. Staff recommends approval.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:06)

1-28

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2003-46 – Annexation No. ANX-1238 – Property location: On the southeast corner of Buffalo Drive and Grand Teton Drive; Petitioned by: Clark County School District; Acreage: 40.10 acres; Zoned: R-A (County zoning), U (PF) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the southeast corner of Buffalo Drive and Grand Teton Drive. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (May 30, 2003) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2003-46 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2003-46 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED said this matter is in order.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:06 – 4:07)

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

ABEYANCE ITEM - Bill No. 2002-145 – Repeals and replaces LVMC Chapter 6.50, relating to liquor control, and revises related zoning provisions. Proposed by: Mark Vincent, Director, Finance and Business Services

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

In addition to adding new alcoholic beverage licensing categories for banquet facilities, convention facilities, nonprofit club restaurant service bars, billiard parlors, convenience stores, art galleries, art studios, buses and limousines this bill reorganizes the presentation of the existing alcoholic beverage regulations, including moving related zoning matters from Chapter 6.50 to Title 19 of the City Code. Special use permit regulations for unlicensed locations hosting social events with alcoholic beverage sales are also established.

RECOMMENDATION:

ABEYANCE to the 4/14/2003 Recommending Committee meeting pursuant to the 3/17/2003 Recommending Committee.

First Reading – 12/18/2002; First Publication – N/A

BACKUP DOCUMENTATION:

Bill No. 2002-145

COMMITTEE RECOMMENDATION:

COUNCILMAN WEEKLY recommended Bill 2002-145 be held in abeyance to the 6/2/2003 Recommending Committee meeting. **COUNCILMAN MACK** abstained out of caution as this may involve supper clubs and his brother-in-law, Andrew Donner, owns Timbers Bar and Grills.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

RECOMMENDING COMMITTEE MEETING OF MAY 19, 2993

City Attorney

Item 4 – Bill No. 2002-145

MINUTES – Continued:

JIM DiFIORE, Manager, Business Services, reported that staff is in the process of making some amendments to the proposed original draft bill and gave an overview of some of those amendments. Staff is currently holding discussions with the Convention Authority regarding a possible change to the definition of a convention facility license. A classification for non-profit restaurant license that would work in conjunction with a non-profit club license is being proposed. This would allow clubs, such as the American-Italian Club and the Elks Club, to have a separate license to serve dinner or have restaurant operations for the open public. The tavern-limited license has also been included in this bill draft, which was previously approved by the Council. The bill contains a proposal to allow any property that is annexed into the City that has an existing valid license in Clark County to request a waiver for the original license fee. Lastly, the term “principal” has been added to several definitions in order to hold the principal as accountable as the licensee because they are the ones that operate the businesses, especially in cases where there is an absentee licensee.

CHIEF DEPUTY CITY ATTORNEY STEED has indicated that it may take another week to incorporate the aforementioned changes in a second bill draft. Therefore, MR. DiFIORE suggested this matter be held in abeyance to the next Recommending Committee meeting.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:07 – 4:10)

1-58

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2003-47 – Annexation No. ANX-1603 – Property location: On the northeast corner of Regena Avenue and Riley Street; Petitioned by: Michael Monahan and Michelle Ware; Acreage: 0.75 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the northeast corner of Regena Avenue and Riley Street. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 13, 2003) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2003-47 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2003-47 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED said this matter is in order.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:10)

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2003-48 – Annexation No. ANX-1752 – Property location: On the north side of Smoke Ranch Road, 450 feet east of Michael Way; Petitioned by: Thomas Fett; Acreage: 1.18 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Lawrence Weekly

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the north side of Smoke Ranch Road, 450 feet east of Michael Way. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 13, 2003) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2003-48 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2003-48 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED said this matter is in order.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:10 – 4:11)

AGENDA SUMMARY PAGE**RECOMMENDING COMMITTEE MEETING OF: MAY 19, 2003**

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:****NEW BILL:**

Bill No. 2003-49 – Exempts the buying, selling or trading of used CD's , DVD's, video games, videotapes, cassettes or sound recordings from the secondhand dealer business licensing requirements.
Proposed by: Mark Vincent, Director of Finance and Business Services

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Currently persons buying, selling or trading used CD's, DVD's, video games, videotapes, cassettes or sound recordings are required to have secondhand dealer licenses. This bill will exempt such activity from this licensing requirement.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2003-49

COMMITTEE RECOMMENDATION:

COUNCILMAN WEEKLY recommended Bill 2003-49 be held in abeyance to the 6/2/2003 Recommending Committee meeting. **COUNCILMAN MACK** abstained to avoid any conflict because he was recently in the pawnshop business and is now consulting for his brother, Steven Mack, who owns SuperPawn shops.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

JIM DiFIORE, Manager, Business Services, indicated that this bill originated from members of the industry who suggested that the listed items be exempt from the secondhand dealers code, which was adopted years ago to reduce the crime of stolen goods. The Pawnshop Detail Division of the Las Vegas

Metropolitan Police Department has indicated that the listed items are not high crime fence/stolen good items. It is quite common in the pawnshop industry for new video items to later be sold as used items and at a discounted price. Staff has no objection to this bill.

RECOMMENDING COMMITTEE MEETING OF MAY 19, 2003

City Attorney

Item 7 – Bill No. 2003-49

MINUTES – Continued:

ATTORNEY ED LUBBERS appeared representing Gamestock. He was accompanied by ROBERT LLOYD, Vice President of Gamestock, who explained that Gamestock is the nation's largest videogame retailer, with over 1300 locations throughout the country. The company is publicly traded and 63% owned by Barnes and Noble. Its primary business is videogame hardware, software, and accessories. They principally sell new videogames, but they also have a large market for used videogames. Customers often bring in a used game and trade it in for another game. This allows them to buy more games at a lower cost.

ATTORNEY LUBBERS explained that Gamestock still has concern about not allowing the trade-in of the playing equipment, which is the hardware, because the City Attorney's office opined that it should not be exempted. Currently a Play Station I can be traded in for a Play Station II, but a Play Station cannot be traded in for credit to purchase videogames.

Many parents go into the store and want to receive credit for a Play Station I to purchase games for their kids who have received a new Play Station II. Gamestock is in the business of providing value to used games by recycling them. He requested the definition be expanded to include hardware.

MR. DiFIORE requested the matter be held to the next Recommending Committee meeting to allow him time to confer with ATTOENY LUBBERS and try to resolve his concerns.

COUNCILMAN WEEKLY indicated that his relatives' house was broken into and the only thing that was taken was the Play Station II and all the games. ATTORNEY LUBBERS said that it was probably stolen to play with, not to sell.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:11 – 4:20)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 7, 2003

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2003-50 – Requires a special use permit for massage establishments in the C-1, C-2, C-PB and C-M Zoning Districts, and allows the use as a conditional use in the M Zoning District. Sponsored by: Councilman Michael J. McDonald

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Massage establishments are currently permitted as a matter of right in the C-1, C-2, C-PB, C-M and M Zoning Districts. This bill will give the City greater control over the location and operation of these uses by 1) requiring a special use permit in the C-1, C-2, C-PB and C-M Zoning Districts, 2) allowing the use as a conditional use in the M Zoning District, and 3) establishing certain minimum conditions of approval.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2003-50

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2003-50 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

ROBERT GENZER, Director of Planning and Development, stated that at the present time Title 19 allows massage establishments as a permitted use in the listed zoning districts. This proposal would change that to a special use permit in four of those categories and make it a conditional use in the M Zoning District. With that, the bill proposes to put in place certain base standards that would be required in order to qualify. He enumerated those from the bill. As far as the hours of operation under

the M Zoning District, the Council will have discretion to further limit the standard hours of operation of 8:00 a.m. to 9:00 p.m. on a case-by-case basis. Staff recommends approval.

RECOMMENDING COMMITTEE MEETING OF MAY 19, 2003

City Attorney

Item 8 – Bill No. 2003-50

MINUTES – Continued:

COUNCILMAN WEEKLY requested the input of DOUG RANKIN, Council Liaison, on this matter. MR. RANKIN indicated that last year COUNCILMAN McDONALD addressed this issue through stricter licensing, but there is still a great concern with the saturation of independent massage establishments coming into the City, especially in the vicinity of Sahara Avenue and Paradise Road.

COUNCILMAN WEEKLY asked if this change will cause a lot of massage licensees appearing before the Council regarding the hours of operation. MR. RANKIN point out that legitimate massage therapists have no reason to be open at 2:00 in the morning.

JIM DiFIORE, Manager, Business Services, added that when a moratorium was placed on massage establishment licensees, staff conducted a survey that showed that approximately 85% of the businesses closed at 9:00 p.m.

COUNCILMAN MACK asked if adequate enforcement is being done and if it is working. MR. DiFIORE replied that since the moratorium ceased last year, ten massage therapist licenses have been revoked or denied, two have been denied, and one license is going to be heard at the next Council meeting for disciplinary action because of criminal activities. He opined that it has been very effective.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:20 – 4:24)

1-472



RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: MAY 19, 2003

CITIZENS PARTICIPATION: ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

MINUTES:

None.

(4:24)

1-619

THE MEETING ADJOURNED AT 4:24 P.M.

Respectfully submitted: _____

GABRIELA S. PORTILLO-BRENNER, DEPUTY CITY CLERK
May 29, 2003